



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel W. Van Vleet
Appl. No.: 09/817,522
Filed: 03/26/2001
Docket No.: 1752
Conf. No. 7905
Title: **APPARATUS AND METHOD FOR SIMULATED CAMPFIRE**

Art Unit: 3743
Examiner: Kathryn P. Odland

Action: **TRANSMITTAL OF APPEAL BRIEF IN TRIPLICATE**
Date: July 22, 2005

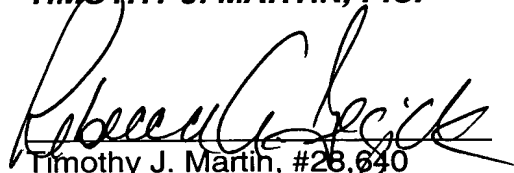
To: Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reference to the above-identified patent application, please find enclosed the Appeal Brief (in triplicate) and check no. 5116 in the amount of \$250.00 for the filing fee associated with this brief. The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 13-1940.

Respectfully Submitted,

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I hereby certify that the attached documents, including a **TRANSMITTAL OF APPEAL BRIEF IN TRIPLICATE (2 pages) AND CHECK NO. 5116 IN THE AMOUNT OF \$250.00 FOR THE FILING FEE OF THE BRIEF** are being deposited with the United States Postal Service as EXPRESS MAIL, label number **ED 678568731 US** for delivery in an envelope addressed to Mail Stop Appeal Brief – Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22 day of July, 2005.

Marcie F. King
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel W. Van Vleet
Appl. No.: 09/817,522
Filed: 03/26/2001
Docket No.: 1752
Conf. No. 7905
Title: **APPARATUS AND METHOD FOR SIMULATED CAMPFIRE**

Art Unit: 3743
Examiner: Kathryn P. Odland

Action: **Second Appeal Brief**
Date: July 22, 2005

To: Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Appeal is from the Final Rejection of claims 1-6, and 8-28, 30-34 in the above-referenced patent application. A Notice of Appeal was mailed by Appellant on February 18, 2005, with a certification pursuant to 37 C.F.R. § 1.8, and was received by the Patent Office on February 22, 2005. Accordingly, the present Appeal Brief is due by April 22, 2005 pursuant to MPEP §§ 512 and 1206. Filed concurrently herewith is a three (3) month extension of time so that the Appeal Brief is due July 22, 2005.

In compliance with 37 C.F.R. § 1.192, Appellant submits the following as his Appeal Brief in this matter through the undersigned counsel.

I. REAL PARTY IN INTEREST

The real party in interest for purposes of this appeal is the named inventor, Daniel W. Van Vleet, an individual residing at 525 1st Street, Gurley, Nebraska 69141.

II. RELATED APPEALS AND INTERFERENCES

This is the second time that Applicant has appealed the rejection of his application. The first Appeal Brief was filed on July 21, 2003. Prosecution was re-opened in view of that first Appeal Brief. There are no other appeals or interferences known to the Appellant or the Appellant's legal representatives that will have a bearing on the Board's decision to be rendered in this Appeal.

III. STATUS OF CLAIMS

Claims 1-6, 8-28, and 30-34 are currently pending in the application, have been finally rejected, and are hereby appealed. Claim 7 was previously cancelled in an Amendment dated November 6, 2002. Claim 29 was cancelled in an Amendment dated June 10, 2004. No claims have been allowed.

IV. STATUS OF AMENDMENTS

The Examiner's Office Action made final, dated October 19, 2004, was in response to Appellant's Amendment of June 10, 2004. Appellant filed its Notice of Appeal on February 18, 2005. No amendments were filed subsequent to the final rejection.

Attached hereto as Appendix A is a copy of the current version of pending claims 1-6, 8-28, and 30-34 involved in this Appeal.

V. SUMMARY OF THE INVENTION

The present invention relates to a portable campfire apparatus that provides a non-ember producing flame. The invention also includes a method of providing a portable campfire on a support surface. Broadly, the campfire includes a base to rest on the support surface, such as the ground, a fire pan filled with a quantity of low density, non-flammable particulate material, such as vermiculite, a spacer interposed between the base and the fire pan, and a gas manifold connected to a fuel source to

introduce vaporized fuel into the interior of the fire pan. The vaporized gas migrates throughout the particulate material to the surface and, when ignited, provides the aesthetic attributes and heat of a regular wood-burning campfire. Even though the fuel is ignited, the particulate material remains relatively cool to the touch and does not produce embers that are typically discharged by wood burning campfires.

A first embodiment of the invention is illustrated in Figures 1-4 and is discussed beginning on page 10, line 7 of the application. As shown, campfire apparatus 10 includes base 20, fire pan 40, lid 60, and spacer 80. When the campfire apparatus is assembled, as discussed on page 11, beginning on line 15, spacer 80 is interposed between base 20 and fire pan 40, which are releasably secured together by means of carriage bolts 36 and nuts 38. Lid 60 is sized and adapted to enclose the interior of fire pan 40 and when mounted thereon, is supported by shoulder portion 58.

As shown in Figures 3-5 and discussed beginning on page 12, line 13, manifold 90 includes a toroidal main body 92 that extends proximately to the inner surface of fire pan 40 and an extension 96 that projects through the fire pan to connect to the source of fuel via connector 98. Main body 92 includes ports 94, which introduce vaporized fuel into the pan interior 52 when connected to a source of fuel. As shown in Figures 2 and 5, and discussed on page 12, beginning on line 23, ports 94 are oriented so as to direct vaporized radially inwardly, toward an axis that is perpendicular to plane "P", which contains the rim 46 of fire pan 20.

The base, fire pan, and lid may have a variety of geometric configurations, such as those shown in Figures 10, 11, 13, and 16, which illustrate various other contemplated embodiments of the present invention. Similarly, the configuration of the gas manifold and the orientation of ports may also vary without departing from

the scope of the present invention. Alternative gas manifolds are illustrated in Figures 6, 7, 10, 12, 17, 20, and 22.

Preferably, the base, fire pan, and lid each have the same geometric structure so as to reduce manufacturing costs. There is, however, another advantage in constructing the base and the fire pan substantially identically in the event the apparatus is purposely or inadvertently tipped over such that it is lying on the support surface on its side. Particularly, as discussed beginning on page 14, line 20 and shown in Figures 8 and 9, if the rim of the fire pan extends in a plane parallel to the support surface when in an upright position, and when in a tipped over position, the plane is oriented at no less than 90° to the support surface, the flame from the manifold will be extinguished. As a result, the particulate material will spill out of the fire pan, but is not likely to inadvertently spread unwanted fire due to its innate characteristics.

Finally, as discussed on page 19, beginning at line 5, the present invention is also directed to a method of providing an artificial campfire on a support surface. This method includes a first step of providing a fire pan having an interior and a gas manifold with at least one gas outlet disposed in the interior thereof. Next, the fire pan is supported in spaced relation to the support surface such that the interior thereof is upwardly opening. The method includes the step of placing a quantity of low density, fire retardant particulate material in the fire pan at a depth sufficient to cover the manifold. The method then includes the step of introducing a fuel into the manifold so that vaporized fuel is injected into the particulate material and migrates upwardly therethrough without igniting until it reaches the surface. The method then includes the step of igniting the vaporized fuel along the surface of the particulate material.

VI. ISSUES

The following issues are believed by Appellant to be important for purposes of this Appeal:

A. Are claims 1, 12, 32, and 34 properly rejected under 35 U.S.C. § 102 as being anticipated by G.B. Patent No. 2 228 791 to Thurlow?

- 1. Does Thurlow teach a spacer adapted to be interposed between the fire pan and the base as claimed in claims 1 and 34?**
- 2. Does Thurlow teach a fire pan and a base that are substantially the same in size and shape as claimed in claim 12, or that are of substantially similar geometric size and shape as claimed in claim 34?**
- 3. Does Thurlow teach a fire pan that is securable to the base as claimed in claim 32?**

B. Has the Examiner established a *prima facie* case of obviousness under 35 U.S.C. § 103(a) in rejecting claims 5, 6, 13, 15, 20, 21, 23, 24, 25, 28, 30, 33, 36 as being unpatentable over G.B. Patent No. 2 228 791 to Thurlow in view of either US Patent No. 5,359,988 to Hait or US Patent No. 2,154,305 to Goerl?

- 1. Assuming, *arguendo*, one would be motivated to modify Thurlow by the teachings of either Hait or Goerl, the modified device would not include all the claim elements of either claims 15, 17, and 23.**
- 2. Assuming, *arguendo*, one would be motivated to modify Thurlow by the teachings of Hait and/or Goerl, the modified apparatus would not have a fire pan that is adapted to be releasably secured to the base as claimed in claims 24, 25 and 30.**
- 3. One of ordinary skill in the art would not be motivated to modify the Thurlow gas fire apparatus to include a lid as recited in claims 23, 28 and 36.**
- 4. Assuming, *arguendo*, one would be motivated to modify Thurlow by the teachings of Hait and/or Goerl, the modified apparatus would not have a detachable spacer as claimed in claim 33.**

VII. GROUPING OF THE CLAIMS

Applicant asserts that claims 1, 5, 13, 20, 23, 24, 25, 28, 30, 32, 33, 34, and 36 each stands alone. If claim 1 falls, then claims 2-4, 8-12 and 14 also fall. If claim 5 falls, then claim 6 falls. If claim 15 falls, claim 16-19 also fall. If claim 20 falls, then claim 21 falls. If claim 25 falls, claims 26, 27, and 35 also fall, if claim 30 falls, then claim 31 also falls.

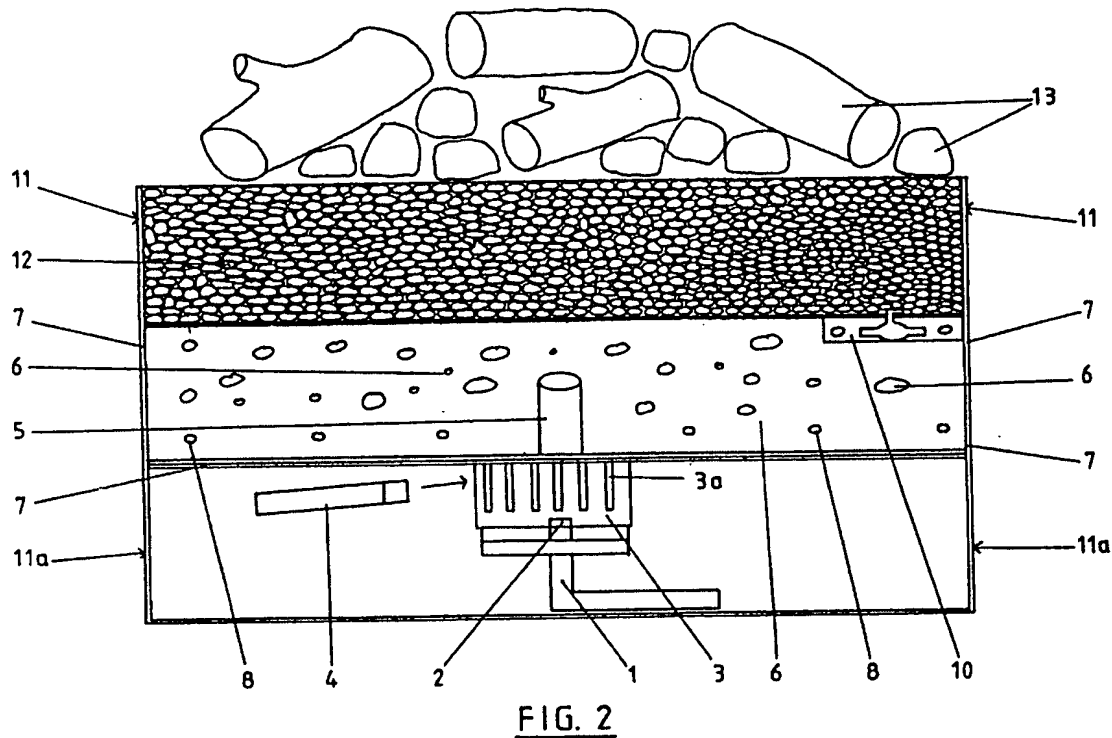
VIII. ARGUMENT

A. Are claims 1, 12, 32, and 34 properly rejected under 35 U.S.C. § 102 as being anticipated by G.B. Patent No. 2 228 791 to Thurlow?

To anticipate a claim under 35 U.S.C. § 102(b), the reference must teach each and every element of the claim. *See, e.g., Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”). That is, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). *See also, Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 231 USPQ 81 (Fed. Cir. 1986) (“It is axiomatic that for prior art to anticipate under 102 it has to meet every element of the claimed invention.”); *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990) (“For a prior art reference to anticipate in terms of 35 U.S.C. §102, every element of the claimed invention must be identically shown in a single reference.”).

Before addressing subparts 1-3 of the first issue identified in this Appeal, it is necessary to review the Thurlow gas fire apparatus in detail with specific reference to its components as identified by the Examiner. The Examiner has relied only on

Fig 2 of that reference and thus Fig 2 of the Thurlow gas fire apparatus has been reproduced below.



In the Examiner's Final Office Action, the Examiner identifies the **fire pan** as element 11, and the **spacer** is identified as 11(a). (Final Office Action: Page 5, lines 1-2). The Examiner identifies the **base** of the Thurlow reference as "that shown by horizontal lines below elements 11a in figure 2". (Final Office Action: Paragraph 4). Turning now to the Thurlow reference, the description provided for each of these three elements is as follows:

Fire Pan (Element 11): This is a "tray", which accommodates a burner 7. (Page 2, lines 19-20).

Spacer (Element 11a): These are "legs" upon which tray 11 stands. (Page 4, line 30).

Base (the lines below 11a): Thurlow does not specifically call out the dual lines below 11a. However, it can be understood from the reference that these dual lines illustrate the bottom of legs 11a. Specifically on Page 4, lines 29-31, Thurlow describes:

Also, the tray 11 stands on legs 11a with the burner head being accommodated in ***the space between the tray and the bottom of legs 11a.*** (emphasis added).

It is also worth noting here that Fig 2 is described as “a side view of a second embodiment of the invention, incorporating a vertical burner”. (Thurlow: Page 3, lines 1-2). Accordingly, this is not a cross-section of the second embodiment. The Thurlow reference does not provide any other illustrations of this second embodiment. As such, it is quite difficult, if not impossible, to clearly understand the geometric configuration of legs 11a or the base (the dual lines below 11a).

Fig 3 may, however, provide some insight as to what legs 11a, and the lines appearing beneath them, look like, and is reproduced here.

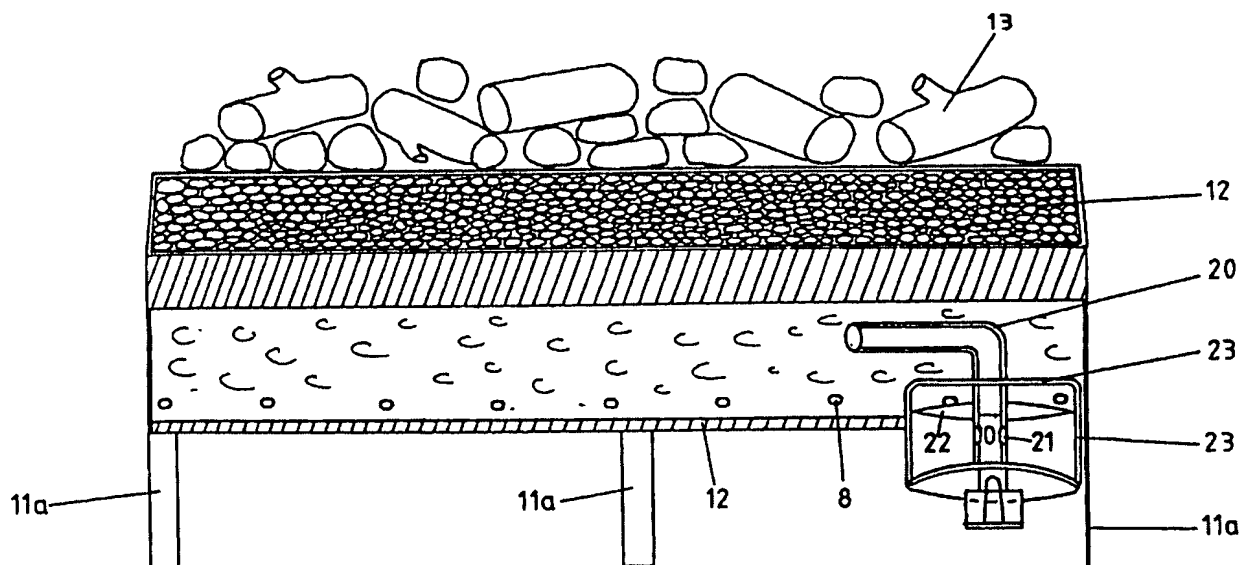


FIG. 3

Fig 3 is a “side view of a third embodiment of the invention, *showing an alternative positioning of the burner.*” (emphasis added) (Thurlow: Page 3, lines 3-5). The description of this third embodiment is provided on pages 4 and 5 of the Thurlow reference. From the brief description on Page 3, and the more detailed description in the paragraph beginning on Page 4 and ending on Page 5, it can be ascertained that the *only difference* between the second and third embodiments is the arrangement of the burner head. Particularly, Fig 3 (embodiment 3) has an elbow shaped venturi while Fig 2 (embodiment two) shows the venturi extending vertically into the burner.

This single difference between embodiments two and three is further supported by use of common reference numbers – reference numbers 12 and 13 are common between Figs 2 and 3. More importantly for this appeal, reference number

11a is common between Figs 2 and 3. Thurlow does not discuss elements 11a, 12, or 13 when referencing Fig 3. There are also reference numbers that are *not* common to both Figs 2 and 3, which pertain only to the venturi of the respective embodiments. Thurlow describes these different elements. Accordingly, Applicant submits that legs 11a, and the dual line appearing below 11a as shown in Fig 2 has a configuration that is best understood with the illustration provided in Fig 3.

1. Does Thurlow teach a spacer adapted to be *interposed between the fire pan and the base as claimed in claims 1 and 34?*

The issue here is whether Thurlow teaches a spacer that is adapted to be interposed between the base and the fire pan. Applicant submits that structurally, it is impossible for legs 11a to be interposed between the base of legs 11a and tray 11.

During patent examination, the pending claims “must be given their broadest reasonable interpretation consistent with the specification.” (MPEP § 2111). Further, the MPEP provides, “... the words must be given their *plain meaning* unless applicant has provided a clear definition in the specification.” (MPEP § 2111.01) The “plain meaning” of the claim terms refers to the “ordinary and customary meanings attributed to them by those of ordinary skill in the art”. (MPEP §2111.01 II). Ordinary and customary meanings may be evidenced by, for example, dictionaries.

With respect to claim 1, Applicant has claimed a spacer that is capable of being inserted or placed between a base and a fire pan. To support this position, Applicant provided the dictionary definition of the word “interposed” in the Amendment dated June 10, 2004, which is again provided here:

- 1a. To insert or introduce between parts.
- 1b. To place (oneself) between others or things.

See, The American Heritage Dictionary Of The English Language, Fourth Edition, 2000.

In the Final Office Action, the Examiner provided yet another definition for the word “interposed”, which she defined as “To come between” and took the position that “legs 11a necessarily come between the fire pan and the base.” (Final Office Action, Page 3).

Applicant takes issue first with the Examiner’s definition of the word “interposed” and has attached hereto as Appendix B, page 915 of The American Heritage Dictionary Of The English Language, Fourth Edition, 2000. There is a word missing from the Examiner’s definition. It is believed that the complete definition that the Examiner is using is either “to come between *things*” or “to come between *the parties* in as dispute; intervene”. The addition of either “things” or “the parties” is necessary to appreciate the full meaning of the word “interpose”. Consistently among all of the *full* definitions, it can be readily understood that something is inserted, introduced, placed or coming between two distinct parts, things, others or parties.

Thurlow does not teach a spacer that is inserted, introduced, placed or coming between two distinct parts or things. Thurlow is missing a part. How can the legs come between their own respective bottoms and that of the fire pan? It is structurally impossible. In Fig 2, the base (the dual lines appearing below 11a) are illustrated as integral with legs 11a. The vertical lines depicting legs 11a are *continuous with* the horizontal lines appearing below them. This is not surprising since Thurlow indicates that lines appearing below lines 11a are the bottom of the legs. The fact that legs 11a do not come between two distinct parts is even more apparent with reference to Fig 3.

In the Final Office Action, the Examiner comments further that the legs are “inserted (at some point of the manufacturing/assembly process) between the parts (i.e. fire pan and the base). First of all, the manufacturing/assembly process is not described in the Thurlow reference. There is nothing in the Thurlow reference whatsoever that describes the assembly of the legs between the lines appearing below them and the fire pan. In fact, there is nothing in the Thurlow reference to describe how legs 11a are coupled to the fire pan. Are they fastened thereto with bolts, nails, clamps? Indeed, a closer look at Fig 2 shows that lines 11a are continuous with tray lines 11. Arguably, then, legs 11a are integrally formed with tray 11. This interpretation finds some support in companion Fig 3 with reference to leg 11a on the right. , which is different in configuration than leg 11a on the left or leg 11a in the middle.

Simply put, Thurlow does not explicitly teach a spacer that is adapted to be interposed between a base and a fire pan. Accordingly, appealed claim 1 should be allowed. As such, its dependent claims, 2-6 and 8-14 should also be allowed.

2. Does Thurlow teach a fire pan and a base that are substantially the same in size and shape as claimed in claim 12, or that are of substantially similar geometric size and shape as claimed in claim 34?

In keeping with the components of the Thurlow gas fire as identified by the Examiner, the 102(b) rejection of claim 12 necessitates a comparison of tray 11 with that of the dual lines appearing below legs 11a. In looking at Fig 2, the only thing that can be perceived about the lines below 11a is the length of the lines and the distance that separates them from each other, which is barely perceptible¹. Nothing

¹ Of course Fig 3, as argued by Applicant, offers an entirely different insight as to the lines beneath legs 11a.

further is known about the lines under 11a. Do they extend the entire width of the gas fire apparatus? What is the overall configuration? Rectangular? Triangular?

Tray 11, on the other hand, is shown in Figs 1-3 and it can be readily understood to be generally rectangular in configuration and is described as having an interior of sufficient size and dimension to accommodate “a burner 7 in the form of a hollow tube or box section of settle, iron, or ceramic material.” (Thurlow: page 3, lines 19-21).

Applicant submits that the size and shape of the lines appearing below 11a cannot be compared to the size and shape of tray 11. There is nothing explicitly taught in Thurlow regarding the size and shape of these dual lines and thus, a comparison cannot be made.

Assuming, *arguendo*, a comparison can be made between the size and shape of tray 11 and the dual lines appearing below legs 11a solely by referencing Fig 2, Applicant argues that the dual lines are not substantially the same in geometric size and shape as the tray. The Examiner argues in the Final Office Action that the term “substantially” is “extraordinarily broad and the scope of substantial has not been established”. (Final Office Action, page 3). Applicant disagrees. Indeed, even Section 2173.05(b)(D) of the MPEP states the following regarding the use of the term “substantially”

The term “substantially” is often used in conjunction with another term to describe a particular characteristic of the claimed invention. It is a broad term. *In re Nehrenberg*, 280 F.2d 161, 126 USPQ 383 (CCPA 1960). The court held that the limitation “to substantially increase the efficiency of the compound as a copper extractant” was definite in view of the general guidelines contained in the specification. *In re Mattison*, 509 F.2d 563, 184 USPQ 484 (CCPA 1975). The court held that the limitation “which produces substantially equal E and H plane illumination patterns” was definite because one of ordinary skill in the art would know what was meant by “substantially equal.” *Andrew Corp. v. Gabriel Electronics*, 847 F.2d 819, 6 USPQ2d 2010 (Fed. Cir. 1988).

Applicant argues here that use of the term “substantially” is not as extraordinarily broad as the Examiner opines. Rather, one of ordinary skill in the art would understand what is meant by the claim term “substantially”. With this in mind then, the shape of dual lines is not at all similar to that of tray. Certainly it can be seen in Fig 2 that dual lines below legs 11a lack sufficient depth to accommodate “a burner 7 in the form of a hollow tube or box section of settle, iron, or ceramic material.

Thurlow does not explicitly teach a fire pan of substantially the same size and shape as the base nor does Thurlow teach a fire pan having a substantially similar geometric size and shape as the base. Accordingly, appealed claims 12 and 34 should be allowed. Since claim 35 depends from claim 34, this claim should be allowed too.

3. Does Thurlow teach a fire pan that is securable to the base as claimed in claim 32?

Again, using the elements of the Thurlow gas fire as identified by the Examiner, it must be determined whether the lines below legs 11a are “securable to” the tray 11 in order to anticipate claim 32. There is nothing, either in Fig 2 or the corresponding description appearing on page 3 of the reference to indicate that tray 11 is somehow securable to these lines. Again, as argued above, this is not surprising given that Thurlow describes these lines as the bottoms of legs 11a.

Moreover, it is noted that on Page 15 of the Final Office Action, the Examiner correctly concedes: “However, ThrurLOW does not explicitly recite a base and fire pan adapted to be releasably secured.” Accordingly, appealed claim 32 is in condition for allowance.

B. Has the Examiner established a *prima facie* case of obviousness under 35 U.S.C. § 103(a) in rejecting claims 15, 17, 23, 24, 25, 28, 30, 33, 36 as

being unpatentable over G.B. Patent No. 2 228 791 to Thurlow in view of either US Patent No. 5,359,988 to Hait or US Patent No. 2,154,305 to Goerl?

A *prima facie* case of obviousness requires that the prior art reference (or references when combined) teach or suggest all the claim limitations. *In re Vaeck*, supra; *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974); *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970) ("All words in a claim must be considered in judging patentability of that claim against the prior art."); MPEP §2143.03.

Further, a *prima facie* case of obviousness also requires that there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q. 2d 1438 (Fed. Cir. 1991); *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q. 2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 U.S.P.Q. 2d 1941 (Fed. Cir. 1992). In establishing a *prima facie* case of obviousness under 35 U.S.C. §103, it is incumbent upon the Examiner to provide a reason why one of ordinary skill in the art would have been led to modify a prior art reference or to combine reference teachings to arrive at the claimed invention. See *Ex parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. & Int. 1985).

To this end, the requisite motivation must stem from some teaching, suggestion or inference in the prior art as a whole or from the knowledge generally available to one of ordinary skill in the art and not from the applicant's disclosure. See, e.g., *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1052, 5 U.S.P.Q.2d 1434 (Fed. Cir.), *cert denied*, 488 U.S. 825 (1988); *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (The teaching or suggestion to make the claimed combination must not be based on applicant's disclosure); MPEP §2142. That is, it is improper to use hindsight reconstruction of the claimed invention using the applicant's structure as a template. *In*

re Gorman, 18 U.S.P.Q. 2d 1885 (Fed. Cir. 1991). When the only suggestion to combine the teachings of the references in the manner proposed by the Examiner is found in the hindsight accorded one who first views the applicant's disclosure, an obviousness rejection under 35 U.S.C. §103 is improper. See *In re Fritch*, 972 F.2d 1260, 1266, 23 U.S.P.Q.2d 1780, 1784 (Fed. Cir. 1992).

It is axiomatic that the mere fact that the prior art structure could be modified does not make such a modification obvious unless the prior art *suggests the desirability of doing so*. See *In re Gordon*, 733 F.2d 900, 902, 221 U.S.P.Q. 1125, 1127 (Fed. Cir. 1984); *In re Mills*, 916 F. 2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990); MPEP § 2143.01 Further, the fact that the claimed invention is within the capabilities of one of ordinary skill in the art is not sufficient to establish a prima facie case of obviousness without some objective reason to combine the teachings of the references. *Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993).

1. Assuming, *arguendo*, one would be motivated to modify Thurlow by the teachings of either Hait or Goerl, the modified device would not include all the claim elements of either claims 15, 17, and 23.

In the Final Office Action, with respect to both claims 15 and 23, the Examiner identifies the "base" as "that shown *below* elements 11a". (emphasis added) (Final Office Action, page 10-11 and page 12). Below legs 11a are a pair of lines extending the width of the entire apparatus. The Examiner then goes on to say in the same sentence that the "base" is constructed as a "base shell with a lower rim so as to have a base interior (that above it)." Now it suits the Examiner to redefine what is being identified as the "base" in Thurlow. Applicant is unsure whether the base is below 11a or above it.

In an effort to be consistent with the arguments provided above, Applicant will continue to reference the “base” of the Thurlow gas fire apparatus as the lines below legs 11a. As should be appreciated, these lines can not be described as being a base shell, nor can they be seen to have an interior or a lower rim. Accordingly, it is unclear how, if at all, Hait and/or Goerl could be used to arrive at Applicant’s invention as claimed in claims 15 and 23 since Thurlow does not teach a base constructed as a base shell with a lower rim and a base interior to begin with.

Claims 17 and 23 each recites a spacer formed as a hollow connector and interposed between the fire pan and the base. Applicant has already argued the element of a spacer being interposed between the fire pan and the base, and such arguments need not be repeated here. However, it is noted that claim 23 recites that the spacer is “hollow”. Nothing in Thurlow, either in the description or the Figures teaches, either explicitly or inherently that legs 11a are hollow as the Examiner suggest on page 12 of the Final Office Action. Appealed claims 15, 17 and 23 should be allowed.

2. Assuming, *arguendo*, one would be motivated to modify Thurlow by the teachings of Hait and/or Goerl, the modified apparatus would not have a fire pan that is adapted to be releasably secured to the base as claimed in claims 24, 25 and 30.

With respect to claims 24 and 25 the Examiner correctly notes on both Pages 14 and 15 of the Final Office Action that Thurlow “does not *explicitly* recite a base and fire pan adapted to be releasably secured.” (original emphasis).² She opines, however, the Hait and Goerl would provide the requisite motivation to modify the “base” – “that shown below 11a in figure 2” so that it would be. Applicant reiterates its previous arguments that the lines below 11a are the bottoms of legs 11a.

Accordingly, how can the bottoms of the legs 11a be modified at all to be releasably secured to tray 11? This is nonsensical as there is no structure to the bottoms of legs 11a. Even assuming for the moment that legs 11a themselves are to be considered the “base”, there is no understanding at all as to how the legs 11a are structured – whether they are fixedly secured to the tray or even if they are integral with the tray 11 such that making them releasably secured to the fire pan could only be the result of improper hindsight reasoning. Accordingly, appealed claims 24, 25, and 30, each of which recite that the base and fire pan are securable to one another, should be allowed.

3. One of ordinary skill in the art would not be motivated to modify the Thurlow gas fire apparatus to include a lid as recited in claims 5, 6, 20, 21, 23, 28 and 36.

In finally rejecting claims 5, 6, 20, 21, 23, 28 and 36, the Examiner correctly notes that Thurlow “does not explicitly recite a lid.” (*see*, e.g. Final Office Action: p. 13 and 16). However, she reasons that since both Hait and Goerl teach the use of a lid, “it would be obvious to one with ordinary skill in the art to modify the invention of Thurlow to include a lid as taught by Hait and Goerl for the purpose of enclosing the pan.” *Id.* Applicant respectfully disagrees with this reasoning.

First, both Hait and Goerl disclose cooking apparatuses. It comes as no surprise then that each would include a lid because many things that are cooked are done so with the use of a lid. However, the Thurlow apparatus is not a cooking apparatus. The Thurlow apparatus is “a solid fuel or log effect open gas fire” that includes “a number of refractory bodies to represent coals or logs”. (Thurlow: Page 1, lines 1-6). Further, as taught the Thurlow apparatus is “designed to be a free standing open fire or can be fitted in a closed stove, convection box, or central

² Although claim 30 recites the base and fire pan are securable to one another, it is believe that this

heating stove. In a closed stove, it is designed to burn without sooting and could be sued in Class 1 or Class 2 chimneys.” (Thurlow: Page 2, lines 22-26).

The Thurlow apparatus has absolutely no use for a lid that is adapted to enclose the pan interior. One of the attributes of the Thurlow apparatus is to provide the effect of an open fire. A lid would completely conceal the effect that the Thurlow apparatus is trying to offer. Furthermore, the Thurlow apparatus is to be primarily a stationary apparatus that may be placed in a closed stove, convection box, or central heating stove. A lid would serve no usefulness to the apparatus once disposed as such. Accordingly, it would not be obvious or even desirable for one of ordinary skill in the art to modify the Thurlow gas fire apparatus so as to have a cooking lid. Appealed claims 5, 6, 20, 21, 23, 28 and 36 should be allowed.

4. Assuming, *arguendo*, one would be motivated to modify Thurlow by the teachings of Hait and/or Goerl, the modified apparatus would not have a detachable spacer as claimed in claim 33.

As mentioned above, for example in the discussion of the allowablity of claims 1 and 34, Figure 2 illustrates legs 11a as an integral part of both tray 11 and the base. Again, this is not surprising given the fact that the lines below 11a are described as the bottoms of legs 11a. It would not be reasonable, and probably impossible, to separate legs 11a from their bottoms, thereby to construct a “detachable spacer.” Further, there would be no desire to make legs 11a detachable from tray 11 because the Thurlow apparatus is not designed to be portable or stored when in not in use, which would be the advantages associated with having a detachable spacer. Thurlow teaches that the apparatus is “designed to be a free standing open fire or can be fitted in a closed stove, convection box, or central

element was inadvertently left out of the discussion related to the Examiner’s rejection thereto.

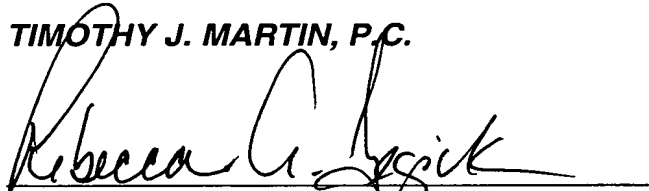
heating stove. In a closed stove, it is designed to burn without sooting and could be sued in Class 1 or Class 2 chimneys.” (Thurlow: Page 2, lines 22-26). Based upon this part of the description, the Thurlow reference teaches a gas fire apparatus designed to be a stationary unit that provides both heat and the aesthetic appearance of a real solid fuel fire for use within the home. Accordingly, there would be no desire to modify the apparatus to make it portable or easy to store and appealed claim 33 should be allowed.

IX. CONCLUSION

Based on the foregoing, Appellant submits that all claims 1-6, 8-28, and 30-34 are allowable. Further, Appellant maintains that the Examiner has improperly rejected the appealed claims of this application and has improperly failed to enter allowance in this case. As argued above, the application discloses and claims an invention not fully and fairly anticipated or obviated by the references either alone or in combination. Therefore, Appellant respectfully requests that the Board reverse the Examiner’s decision and grant allowance of these claims.

Respectfully submitted,

TIMOTHY J. MARTIN, P.C.

A handwritten signature in black ink, appearing to read "Rebecca A. Gegick", is written over a horizontal line.

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Appendix A

1. (Previously Amended) A campfire apparatus adapted to be placed in an assembled state on a support surface and connected to a source of fuel, comprising:

(a) a base adapted to rest on the support surface when in the assembled state;

(b) a fire pan adapted to be supported by said base when in the assembled state, said fire pan including a main body portion having an inner surface, an upper rim and a pan interior;

(c) a spacer adapted to be interposed between said fire pan and said base when in the assembled state so that said base supports said spacer and said spacer supports said fire pan;

(d) a gas manifold disposed in said fire pan when in the assembled state, and having at least one gas outlet operative to introduce vaporized fuel into the pan interior when connected to the source of fuel; and

(e) a quantity of low-density, non-flammable particulate material adapted to be disposed in said fire pan at a depth sufficient to cover said gas manifold when in the assembled state.

2. (Original) A campfire apparatus according to claim 1 including a connector associated with said gas manifold and adapted to connect to the source of fuel when in an assembled state.

3. (Original) A campfire apparatus according to claim 1 wherein said particulate material is selected from a group consisting of clay, shale, slate, and

slag particles, zeolites, alumina hydrates, borates, perlite, vermiculite, beach sand, volcanic sand and sandblasting sand.

4. (Original) A campfire apparatus according to claim 1 wherein said particulate material is vermiculite.

5. (Original) A campfire apparatus according to claim 1 including a lid sized and adapted to enclose said pan interior when placed thereon in a mounted state, with a portion of said lid being supported by a portion of said main body.

6. (Original) A campfire apparatus according to claim 5 wherein said upper rim extends continuously around said fire pan and including an inwardly projecting shoulder portion disposed on said upper rim, said shoulder portion operative to support said lid when said lid is in the mounted state.

7. Cancelled.

8. (Original) A campfire apparatus according to claim 1 wherein said gas manifold has a selected size and a shape selected from a group consisting of toroidal, serpentine, linear and linearly angled shapes.

9. (Previously Amended) A campfire apparatus according to claim 1 wherein said gas manifold is shaped so as to extend circumjacent to the inner surface of said fire pan when in the assembled state and operative when connected to a source of fuel to direct vaporized fuel laterally toward an axis that is perpendicular to the plane containing the rim of said fire pan.

10. (Previously Amended) A campfire apparatus according to claim 9 including a plurality of ports formed in spaced apart relation to one another around said gas manifold thereby to define a plurality of gas outlets therefor.

11. (Previously Amended) A campfire apparatus according to claim 1 wherein said fire pan is configured as a geometric shell selected from a group consisting of: a portion of a spherical shell, a truncated pyramidal shell, a rectangular parallelepiped shell, a polyhedral shell, a conical shell, a cylindrical shell and a pyramidal shell.

12. (Original) A campfire apparatus according to claim 11 wherein said fire pan, and said base are of substantially the same size and shape.

13. (Previously Amended) A campfire apparatus according to claim 12 including a lid sized and adapted to enclose said pan interior when placed thereon in a mounted state with a portion of said lid being supported by a portion of said main body, and wherein said lid has substantially the same geometric structure as said fire pan and said base.

14. (Original) A campfire apparatus according to claim 1 wherein said upper rim extends in a plane parallel to said support surface when in an upright position, and when in a tipped-over position, the plane of said upper rim is oriented at no less than ninety degrees to said support surface.

15. (Previously Amended) A portable camping stove adapted to be placed on a support surface and connect to a source of fuel, comprising:

(a) a base adapted to rest on a support surface, said base constructed as a base shell with a lower rim so as to have a base interior, said base having a selected geometric configuration and size;

(b) a fire pan including a main body portion constructed as a fire pan shell with an upper rim so as to have a pan interior, said fire pan shell having a selected geometric configuration and size, said base and said fire pan being securable to one another so that the base interior and the pan interior are oppositely opening; and

(c) a gas manifold disposed in the pan interior and having at least one gas outlet operative to introduce vaporized fuel into the pan interior when connected to the source of fuel.

16. (Original) A portable camping stove according to claim 15 including a connector associated with said gas manifold and adapted to connect to a source of fuel.

17. (Original) A portable camping stove according to claim 15 including a spacer having a hollow interior and interposed between said base and said fire pan.

18. (Original) A portable camping stove according to claim 15 wherein said fire pan has a central pan axis and said base has a central base axis, said base and said fire pan secured together such that the central base axis and said central pan axis are co-linear.

19. (Original) A portable camping stove according to claim 18 including a spacer having a hollow interior and interposed between said base and said fire

pan and at least one bolt interconnecting said fire pan and said base, said bolt passing through the interior of said spacer.

20. (Original) A portable camping stove according to claim 15 including a lid sized and adapted to enclose said interior pan when placed thereon in a mounted state with a portion of said lid being supported by a portion of said main body.

21. (Original) A portable camping stove according to claim 20 including an inwardly projecting shoulder portion disposed on said upper rim and extending continuously around said fire pan, said shoulder portion adapted to support said lid when in a mounted state.

22. (Previously Amended) A portable camping stove according to claim 15 including a plurality of ports formed in spaced-apart relation to one another around said gas manifold thereby to define a plurality of gas outlets therefor.

23. (Previously Amended) A portable camping stove adapted to be placed on a support surface and connect to a source of fuel, comprising:

(a) a fire pan including a main body portion constructed as a fire pan shell having a central pan axis and with an upper rim and a pan interior, said fire pan shell having a selected geometric configuration and size;

(b) a base operative to rest on the support surface, said base constructed as a base shell having a central base axis and with a lower rim and a base interior, said base shell having the selected geometric configuration and size;

(c) a spacer formed as a hollow connector and interposed between said fire pan and said base such that when connected together, the central pan axis and the central base axis are co-linear and the pan interior and the base interior are in an opposed relationship;

(d) a gas manifold disposed in the interior of said fire pan and having at least one gas outlet operative to introduce vaporized fuel into the interior of said fire pan when connected to the source of fuel;

(e) a connector associated with said gas manifold and adapted to connect to the source of fuel;

(f) a lid constructed as a lid shell having the selected geometric configuration and size; and

(g) a quantity of low density, fire-retardant material disposed in said fire pan at a depth sufficient to cover said gas manifold.

24. (Currently Amended) A campfire apparatus adapted to be placed in an assembled state on a support surface, comprising:

(a) a base adapted to rest on the support surface when in the assembled state;

(b) a fire pan adapted to be releasably secured to said base and supported thereby when in the assembled state, said fire pan including a main body portion having an inner surface, an upper rim and a pan interior;

(c) a reservoir adapted to provide a source of fuel;

(d) a gas manifold adapted to be disposed in the pan interior when in the assembled state, and having at least one gas outlet operative to introduce vaporized fuel into the pan interior when connected to said source of fuel; and

(e) a quantity of vermiculite adapted to be disposed in said fire pan at a depth sufficient to cover said gas manifold when in the assembled state.

25. (Currently Amended) A method of providing an artificial campfire on a support surface, comprising the steps of:

(a) providing a fire pan having an interior and wherein said fire pan includes a gas manifold disposed in the interior thereof with said manifold having at least one gas outlet operative to introduce vaporized fuel into the interior of said fire pan;

(b) positioning said fire pan in spaced relation above a base support disposed on the support surface;

(c) securing said fire pan to said base such that the interior of said fire pan is upwardly opening;

(d) placing a quantity of low density, fire retardant particulate material in said fire pan at a depth sufficient to cover said gas manifold thereby to achieve a surface spaced completely above said gas manifold;

(e) introducing a fuel into said gas manifold at a pressure sufficient so that vaporized fuel is injected into the particulate material in a manner whereby the vaporized fuel migrates upwardly therethrough without igniting until it reaches the surface; and

(f) igniting said vaporized fuel along the surface of said particulate material.

26. (Original) A method according to claim 25 wherein said particulate material is selected from a group consisting of clay, shale, slate, and slag particles, zeolites, alumina hydrates, borates, perlite, vermiculite, beach sand, volcanic sand and sandblasting sand.

27. (Currently Amended) A method according to claim 26 wherein said particulate material is vermiculite.

28. (Currently amended) A campfire apparatus adapted to be placed in an assembled state on a support surface and connected to a source of fuel, comprising:

(a) a base adapted to rest on the support surface when in the assembled state;

(b) a fire pan adapted to be supported by said base when in the assembled state, said fire pan including a main body portion having an inner surface, an upper rim and a pan interior, wherein said upper rim extends continuously around said fire pan and including an inwardly projecting shoulder portion disposed on said upper rim, said shoulder portion operative to support said lid when said lid is in the mounted state;

(c) a lid sized and adapted to enclose said pan interior when in the assembled state, with a portion of said lid being supported by a portion of said main body;

(d) a gas manifold disposed in said fire pan when in the assembled state, and having at least one gas outlet operative to introduce vaporized fuel into the pan interior when connected to the source of fuel; and

(e) a quantity of low-density, non-flammable particulate material adapted to be disposed in said fire pan at a depth sufficient to cover said gas manifold when in the assembled state.

29. Canceled.

30. (Currently Amended) A campfire apparatus adapted to be placed in an assembled state on a support surface and connected to a source of fuel, comprising:

(a) a base adapted to rest on the support surface when in the assembled state;

(b) a fire pan adapted to be supported by said base when in the assembled state, said fire pan including a main body portion having an inner surface, an upper rim and a pan interior, said base and said fire pan being securable to one another;

(c) a gas manifold disposed in said fire pan when in the assembled state, and having at least one gas outlet operative to introduce vaporized fuel into the pan interior when connected to the source of fuel and shaped so as to extend circumjacent to the inner surface of said fire pan when in the assembled state and operative when connected to a source of fuel to direct vaporized fuel laterally toward an axis that is perpendicular to a plane containing the upper rim of said fire pan; and

(d) a quantity of low-density, non-flammable particulate material adapted to be disposed in said fire pan at a depth sufficient to cover said gas manifold when in the assembled state.

31. (Previously presented) A campfire apparatus according to claim 30 including a plurality of ports formed in spaced apart relation to one another around said gas manifold thereby to define a plurality of gas outlets therefor.

32. (Previously Added) A campfire apparatus adapted to be placed in an assembled state on a support surface and connected to a source of fuel, comprising:

(a) a base adapted to rest on the support surface when in the assembled state, said base having a central base axis;

(b) a fire pan, securable to said base and adapted to be supported by said base when in the assembled state, said fire pan including

(1) a main body portion having an inner surface and an aperture formed therethrough

(2) an upper rim; and

(3) a pan interior.

(c) a gas outlet received by the aperture in said fire pan that is operative to introduce vaporized fuel into the pan interior when connected to the source of fuel; and

(d) a quantity of low-density, non-flammable particulate material disposed in said fire pan.

33. (Currently Amended) A campfire apparatus adapted to be placed in an assembled state on a support surface and connected to a source of fuel, comprising:

(a) a base adapted to rest on the support surface when in the assembled state;

(b) a fire pan adapted to be supported by said base when in the assembled state, said fire pan including a main body portion having an inner surface, an upper rim and a pan interior;

(c) a detachable spacer adapted to be supported by said base and to support said fire pan when in the assembled state;

(d) a gas manifold disposed in said fire pan when in the assembled state, and having at least one gas outlet operative to introduce vaporized fuel into the pan interior when connected to the source of fuel; and

(e) a quantity vermiculite adapted to be disposed in said fire pan at a depth sufficient to cover said gas manifold when in the assembled state.

34. (Previously Presented) A campfire apparatus adapted to be placed in an assembled state on a support surface and connected to a source of fuel, comprising:

(a) a base adapted to rest on the support surface when in the assembled state, said base having a selected geometric size and shape;

(b) a fire pan having a substantially similar geometric size and shape as said base, said fire pan adapted to be supported by said base when in the

assembled state, said fire pan including a main body portion having an inner surface, an upper rim and a pan interior;

(c) a spacer adapted to be interposed between said fire pan and said base when in the assembled state so that said base supports said spacer and said spacer supports said fire pan;

(d) a gas manifold disposed in said fire pan when in the assembled state, and having at least one gas outlet operative to introduce vaporized fuel into the pan interior when connected to the source of fuel; and

(e) a quantity of low-density, non-flammable particulate material adapted to be disposed in said fire pan at a depth sufficient to cover said gas manifold when in the assembled state.

35. (New) A campfire apparatus according to claim 25 wherein said particulate material is vermiculite.

36. (New) A campfire apparatus adapted to be placed in an assembled state on a support surface and connected to a source of fuel, comprising:

(a) a base adapted to rest on the support surface when in the assembled state;

(b) a fire pan adapted to be supported by said base when in the assembled state, said fire pan including a main body portion having an inner surface, an upper rim and a pan interior;

(c) a lid sized and adapted to enclose said pan interior when in the assembled state, with a portion of said lid being supported by a portion of said main body;

(d) a gas manifold disposed in said fire pan when in the assembled state, and having at least one gas outlet operative to introduce vaporized fuel into the pan interior when connected to the source of fuel; and

(e) a quantity of low-density, non-flammable particulate material adapted to be disposed in said fire pan at a depth sufficient to cover said gas manifold when in the assembled state.



International style
the Villa Savoye,
Poissy, France,
1928-1931,
by Le Corbusier

internationalism (In'tar-nash'ə-nā-liz'm) *n.* 1. The condition or quality of being international in character, principles, concern, attitude. 2. A policy or practice of cooperation among nations, especially in politics and economic matters. —**internationalist** *n.*
internationalize (In'tar-nash'ə-nā-liz') *tr.v.* -ized, -izing, -izes To make international. 2. To put under international control.
internationalization (-lī-zā'shən) *n.*
international law *n.* A set of rules generally regarded and accepted as binding in relations between states and nations. Also called *law of nations*.

International Morse code *n.* A form of Morse code having no difference between the dot and dash elements, commonly used for telegraphic communication outside the United States and Canada. Also called *continental code*.

International Phonetic Alphabet *n.* Abbr. IPA A phonetic alphabet and diacritic modifiers sponsored by the International Phonetic Association to provide a uniform and universally understood system for transcribing the speech sounds of all languages.

International pitch *n.* A sound wave frequency of 440 cycles per second, assigned to the A above middle C. Also called *sing pitch*.

International relations *pl.n.* 1. (used with a *pl. verb*) The branch of political science that is concerned with the foreign affairs of nations among countries. 2. (used with a *pl. verb*) Foreign affairs; relations among countries.

International style or International Style *n.* An influential modernist style in architecture that developed in Europe and the United States in the 1920s and 1930s, characterized chiefly by regular, unadorned geometric forms, open interiors, and the use of glass, steel, and reinforced concrete.

International System *n.* A complete, coherent system of units used for scientific work, in which the fundamental quantities are length, mass, electric current, temperature, luminous intensity, amount of substance, and mass.

International unit *n.* Abbr. IU 1. The quantity of a biologically active substance, such as a hormone or vitamin, required to produce a specific response. 2. A unit of potency for similarly active substances, based on this quantity and accepted as an international standard.

intern (In'turn', In-turn') *n., v. & adj.* Variant of *intern*.

internecine (In'tar-nēs'en', -In-, -nēs'in') *adj.* 1. Of or relating to struggle within a nation, organization, or group. 2. Mutually destructive; ruinous or fatal to both sides. 3. Characterized by bloodshed or slaughter. [Latin *internecinus*, destructive, variant of *internecivus*, from *internecere*, to slaughter: *inter-*, intensive pref.; see *INTER-* + *nec-*, *nec-*, see *nek-* in Appendix I.]

Word History When is a mistake not a mistake? In language at least, the answer to this question is "When everyone adopts it," and on rare occasions, "When it's in the dictionary." The word *internecine* presents a case in point. Today, it usually has the meaning "relating to internal struggle," but in its first recorded use in English, in 1663, it meant "leading to the death." How it got from one sense to another is an interesting story in the history of English. The Latin source of the word, *internecinus* and *internecivus*, meant "fought to the death, murderous." It is a derivative of the verb *necare*, "to kill." The prefix *inter-* here used not in the usual sense "between, mutual" but rather as an intensifier meaning "all the way, to the death." This piece of knowledge was unknown to Samuel Johnson, however, when he was working on his dictionary in the 18th century. He included *internecine* in his dictionary but misunderstood the prefix and defined the word as "endeavoring mutual destruction." Johnson was not taken to task for this error. On the contrary, his dictionary was so popular and considered so authoritative that this error became widely adopted as correct usage. The error was further compounded when *internecine* acquired the sense "relating to internal struggle." This story thus illustrates how dictionaries are often regarded as providing norms and how the ultimate arbiter in language, even for the dictionary itself, is popular usage.

intern (In'tür-nē') *n.* One who is interned or confined, especially in wartime.

internetwork (In'tür-nēt') *n.* An interconnected system of networks that connects computers around the world via the TCP/IP protocol.

internetwork (In'tür-nēt'wörk') *n.* An interconnected system of networks, especially computer networks.

internuron (In'tar-nōō'rōn', -nyōō'-) *n.* A nerve cell found entirely within the central nervous system that acts as a link between sensory neurons and motor neurons. —**internuron** (-nōō'rō-nāl, -nyōō'-, -nōō-rō'-, -nyōō'-) *adj.*

internist (In-tür'nist) *n.* A physician specializing in internal medicine. [INTERN(AL MEDICINE) + -IST.]

internment (In-tür'nment) *n.* 1. The act of internment or confinement, especially in wartime. 2. The state of being interned; confinement.

internode (In'tar-nōd') *n.* A section or part between two nodes, such as a nerve or stem. —**internodal** (-nōd') *adj.*

internos (In'tar-nōs') *adv. & adj.* Between ourselves. [Latin *inter nos*, among + *nos*, us.]

internuclear (In'tar-nōō'klē-ər, -nyōō'-) *adj.* Located or occurring between nuclei.

internuncial (In'tar-nūn'shāl, -sē-əl) *adj.* Linking two neurons in a neuronal pathway. [INTERNUNC(I) + -IAL.] —**internuncially**

internuncio (In'tar-nūn'sē-ō', -nōōn'-) *n., pl. -os* 1. A Vatican diplomatic envoy or representative ranking just beneath a nuncio. 2. A messenger or an agent; a go-between. [Italian *internunzio*, from Latin *internuntius*, mediator: *inter-* + *nuntius*, messenger; see *NUNCIO*.]
interoceptor (In'tar-ō-sēp'tar) *n.* A specialized sensory nerve receptor that receives and responds to stimuli originating from within the body. [INTER(IOR) + (RE)CEPTOR.] —**interoceptive** *adj.*

interoffice (In'tar-ōf'is, -ōf'is) *adj.* Transmitted or taking place between offices, especially those of a single organization: *an interoffice memo; interoffice conferences*.

interpenetrate (In'tar-pēn'ē-trāt') *v.* -trated, -trating, -trates —*intr.* To become mixed or united by penetration: *planes that interpenetrate in a painting.* —*tr.* 1. To penetrate reciprocally: *The streams interpenetrate each other at the rapids.* 2. To penetrate thoroughly; permeate or pervade.

interpersonal (In'tar-pūr'sō-nāl) *adj.* 1. Of or relating to the interactions between individuals: *interpersonal skills.* 2. Existing or occurring between individuals: *interpersonal communication or conflict.* —**interpersonally** *adv.*

interphase (In'tar-fāz') *n.* The stage of a cell between two successive mitotic or meiotic divisions. —**interphase** *v.*

interphone (In'tar-fōn') *n.* A telephone used in a small closed system of telephones: "The sergeant lifted the interphone and told the pilot that the door was properly sealed" (Tom Clancy).

interplanetary (In'tar-plān'ē-tēr'ē) *adj.* Existing or occurring between planets.

interplay (In'tar-plā') *n.* Reciprocal action and reaction; interaction. —*intr.v.* -played, -playing, -plays To act or react on each other; interact.

interplead (In'tar-plēd') *intr.v.* -pleaded, -pleading, -pleads *Law* To submit one's claim to the process of interpleader. [Middle English *enterpleden*, from Anglo-Norman *enterpleder*: *enter-*, between (from Latin *inter*; see *INTER-*) + *pleder*, to plead (variant of Old French *plaidier*; see *PLEAD*).]

interpleader (In'tar-plē-dār) *n.* *Law* A procedure to determine which of two parties making the same claim against a third party is the rightful claimant. [Anglo-Norman *enterpleder*, to interplead, interpleader. See *INTERPLEAD*.]

interpolate (In-tür-pā-lāt') *v.* -lated, -lating, -lates —*tr.* 1. To insert or introduce between other elements or parts. 2a. To insert (material) into a text. b. To insert into a conversation. See synonyms at *introduce*. 3. To change or falsify (a text) by introducing new or incorrect material. 4. *Mathematics* To estimate a value of (a function or series) between two known values. —*intr.* To make insertions or additions. [Latin *interpolare*, *interpolar*, to touch up, refurbish, from *interpolis*, refurbished. See *per-* in Appendix I.] —**interpolation** *n.* —**interpolative** *adj.* —**interpolator** *n.*

interpose (In'tar-pōz') *v.* -posed, -posing, -poses —*tr.* 1a. To insert or introduce between parts. b. To place (oneself) between others or things. 2. To introduce or interject (a comment, for example) during discourse or a conversation. See synonyms at *introduce*. 3. To exert (influence or authority) in order to interfere or intervene: *interpose one's veto.* —*intr.* 1. To come between things; assume an intervening position. 2. To come between the parties in a dispute; intervene. 3. To insert a remark, question, or argument. [French, from Old French *interposer*, to intervene, alteration (influenced by *poser*, to put, place) of Latin *interpōnere*, to put between: *inter-*, *inter-* + *pōnere*, to put; see *apo-* in Appendix I.] —**interposal** *n.* —**interposer** *n.* —**interpositional** (-pā-zish'ən) *n.*

interpret (In-tür'prī) *v.* -preted, -preting, -prets —*tr.* 1. To explain the meaning of: *interpreted the ambassador's remarks.* See synonyms at *explain*. 2. To conceive the significance of; construe: *interpreted his smile to be an agreement; interpreted the open door as an invitation.* 3. To present or conceptualize the meaning of by means of art or criticism. 4. To translate orally. —*intr.* 1. To offer an explanation. 2. To serve as an interpreter for speakers of different languages. [Middle English *interpreten*, from Old French *interpréter*, from Latin *interpretari*, from *interpret*, interpreter, negotiator, explainer. See *per-* in Appendix I.] —**interpretability**, **interpretability** *n.* —**interpretability** *adj.*

interpretation (In-tür'prī-tā'shən) *n.* 1. The act or process of interpreting. 2. A result of interpreting. 3a. An explanation or conceptualization by a critic of a work of literature, painting, music, or other art form; an exegesis. b. A performer's distinctive personal version of a song, dance, piece of music, or role; a rendering. —**interpretational** *adj.*

interpretative (In-tür'prī-tā'tiv) *adj.* Variant of *interpretive*. —**interpretatively** *adv.*

interpreter (In-tür'prī-tər) *n.* 1. One who translates orally from one language into another. 2. One who gives or expounds an interpretation: "An actor is an interpreter of other men's words, often a soul which wishes to reveal itself to the world" (Alec Guinness). 3. *Computer Science* A program that translates an instruction into a machine language and executes it before proceeding to the next instruction.

interpretive (In-tür'prī-tiv) also **interpretative** (-tā'tiv) *adj.* Relating to or marked by interpretation; explanatory. —**interpretively** *adv.*

interpupillary (In'tar-pyōō'pā-lēr'ē) *adj.* Occurring between the pupils of the eyes: *interpupillary distance*.

inter racial (In'tar-rā'shāl) *adj.* Relating to, involving, or representing different races: *inter racial fellowship; an inter racial neighborhood*.

interregional (In'tar-rē'jā-nāl) *adj.* Of, involving, or connect-

a pat	oi boy
a pay	ou out
är core	öb took
a father	öb boot
ē pet	ü cut
ē he	är urge
ī pit	th thin
ī pie	th thin
ī pier	hw which
ö pot	zh vision
ö toe	ö about, item
ö paw	ö regionalism

Stress marks: ' (primary);
' (secondary), as in
dictionary (dik'shā-nēr'ē)